

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/902,048
Inventor : Michael Lee Vatter
Filed : July 10, 2001
Art Unit : 1617
Examiner : Shengjun Wang
Docket No. : 8163L
Confirmation No. : 7755
Customer No. : 27752
Title : Transfer-Resistant Makeup Removing Compositions

RESPONSE TO EXAMINER INQUIRY

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

INTRODUCTORY REMARKS

In response to an Examiner's telephone inquiry on March 3, 2008; please consider the following remarks and the replacement terminal disclaimer.

Appl. No. 09/902,048
Docket No. 8163L
Paper dated March 4, 2008
Customer No. 27752

REMARKS

This reply is in response to a telephonic inquiry by Examiner Shengjun Wang on March 3, 2008. Examiner Wang noted that the claims are in condition for allowance; however, an error was noted on a previously submitted Terminal Disclaimer. The Terminal Disclaimer submitted on September 19, 2002, incorrectly listed the pending application as serial number 08/850,763. Attached to this response is a replacement Terminal Disclaimer identifying the correct pending application as serial number 09/850,763. With the filing of this replacement Terminal Disclaimer, the Terminal Disclaimer of September 19, 2002 is now void.

According to § 1490.V.C. of the Manual of Patent Examining Procedure, "Once a correct replacement terminal disclaimer is received, the next Office action should make it clear that 'the second terminal disclaimer replaces the first terminal disclaimer, and the first terminal disclaimer is thus void.' A second terminal disclaimer fee should not be assessed/charged, since the first fee is applied to the second terminal disclaimer."


Conclusion

This response represents an earnest effort to correct the error noted by the Examiner. Allowance of the pending claims is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By



Signature

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Date: March 4, 2008
Customer No. 27752